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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/418,323	10/14/1999	MATHIAS LARSSON	2466-41	8745

7590 05/08/2002

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EXAMINER

NGUYEN, CHAU T

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 05/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/418,323

Applicant(s)

LARSSON ET AL.

Examiner

Chau Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 14 October 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

1. Claims 1-14 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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3. Claims 1, 2, and 4, 5, 7-9, 11, 12, and 14 are rejected under 35 U.S.C. 102(e) as being by Percival et al (Percival) Patent No. 5,991,816.

4. As to claim 1, Percival teaches the invention as claimed, a method of transmitting an image, which is stored as a number of independently decodable coding units, between a server and client, characterized by the steps of:

transmitting a request for image data from the client to the server (col. 9, lines 29-37; image transmitting server 12 awaits a request for an image as indicated at decision block 101 of Figure 2);

starting transmission of the requested image data from the server to the client (col. 5, lines 39-48; transmitting image from the image transmitting server 12 to a display device 20 (client device));

transmitting a request for a new part of the image during or after transmission thereof (col. 10, line 35 – col. 11, line 23; during the transmission of the data, the user transmits a request for the region of interest or a portion of the image (considered a new part of image));

transmitting the requested new part of the image from the server to the client using only coding units not already transmitted (col. 2, lines 49-63).

5. As to claim 2, Percival teaches the invention as claimed, the image is stored in the transform domain (col. 8, line 63 – col. 9, line 6; image has been transformed as indicated by process block 60 of Fig. 2).

6. As to claim 4, Percival teaches the invention as claimed, each request from the client comprises information on which image information the client is interested in and which information about the image the client already has access to (col. 2, lines 51-63; prior to completion of the transmission of the image data of the first field, a user may provide instructions defining a second field within the first field).

7. As to claim 5, Percival inherently teaches the invention as claimed, the server after having transmitted requested information to the client directly discards all information provided by client (Internet is known as a stateless network; after fulfillment of the request in this stateless network, the client's request is discarded inherently).

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8. As to claim 7, Percival teaches the invention as claimed, the server performs a transcoding before transmitting the new image part (col. 12, lines 47-51; transmitting the image data includes a step of compressing (considered as transcoding) the data prior to its transmission).

9. Claims 8, 9, 11, 12, and 14 are corresponding apparatus claims containing the similar limitations as the methods described in claims 1, 2, 4, 5, and 7; therefore, they are rejected under the same rationale.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 3, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Percival and further in view of Hurvig, Patent No. 5,867,652.

12. As to claim 3, Percival teaches the invention as discussed in claim 1 above. However, Percival does not teach the specific including a request number for each request as claimed in the instant claimed invention. Hurvig teaches a request that has a sequence number in an environment for supporting a plurality of requests between a client and server in a network (col. 3, lines 10-20). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Percival and Hurvig to include a request number for each request in order to dictate which operation the server is expected to perform.

13. Claim 10 is corresponding apparatus claim containing the similar limitations as the method described in claim 3; therefore, it is rejected under the same rationale.

14. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Percival and further in view of Casagrande et al (Casagrande), Patent No. 6,049,892.

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15. As to claim 6, Percival teaches the invention as discussed above. However, Percival does not teach the server transmits marker code prior to transmitting data. Casagrande teaches a server sends data in block mode or compressed mode and inserting a restart marker (marker code) in the data stream with some marker information (col. 1, line 56 – col. 2, line 9). Since Casagrande teaches these limitations in an environment such as a system for downloading data from a server computer to a client computer which is similar to the system of Percival, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Percival and Casagrande to include a server transmitting marker code prior to transmitting data because the marker code could represent any information by which a system may identify a data checkpoint.

16. Claim 13 is corresponding apparatus claim containing the similar limitations as the method described in claim 6; therefore, it is rejected under the same rationale.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (703)305-4639. The Examiner can normally be reached on Monday-Friday from 7:30am to 4:30pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Mark Rinehart, can be reached at (703) 305-4815.

The fax phone numbers for the organization where this application is assigned are as follows:


(703) 746-7238(After Final Communications only)

(703) 746-7239 (Official Communications)

(703) 746-7240(for Official Status Inquiries, Draft Communications only)

Inquiries of a general nature relating to the general status of this application or proceeding should be directed to the 2100 Group receptionist whose telephone number is (703) 305-3900.

Chau Nguyen
Patent Examiner
Art Unit 2152



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PRIMARY EXAMINER